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Drag

Patagonia sues drag queen Pattie Gonia for trademark infringement

Outdoor clothing company is suing US environmentalist drag performer for $1 plus legal fees, claiming 'we wish we didn't have to do this'

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Wed 27 May 2026 22.34 EDT

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Pattie Gonia in Telluride, Colorado. The drag performer, whose real name is Wyn Willey, is being sued by clothing company Patagonia. Photograph: The Washington Post/Getty Images

Patagonia has launched a trademark lawsuit against an environmentalist drag queen named Pattie Gonia, who has accused the outdoor clothing company of "trying to erase an activist".

Wyn Willey, who performs as Pattie Gonia, has accumulated millions of followers online for their environmental activism, raising almost $4m for non-profits so far. Last year they raised $1m while hiking 100 miles in full drag from Point Reyes national seashore to San Francisco.

Patagonia, which takes its name from an enormous geographical region spanning Argentina and Chile, filed its trademark infringement lawsuit against Willey on 21 January. The suit was filed to the federal court in Los Angeles.

The company, which is suing Willey for a "nominal" $1 in damages plus legal fees, said that it took action after Willey filed a trademark application in September to use the brand Pattie Gonia to sell clothing and promote environmental activism, which it claims would "irreparably harm" its brand.

"While we wish we didn't have to do this - and actively engaged with Pattie for several years to avoid this - it has become necessary to protect the brand we have spent the last 50 years building," the company said in January.

"We want Pattie to have a long and successful career and make progress on issues that matter - but in a way that respects Patagonia's intellectual property and ability to use our brand to sell products and advocate for the environment."

On Wednesday, Wiley responded to the lawsuit publicly for the first time in a video on Instagram, and shared a letter they have sent to Patagonia's board of directors asking them to drop the legal action.

"This is a betrayal of Patagonia's core mission. Because if they're 'in business to save the home planet', why are they suing a climate activist?" Wiley said.

"Over the last four months since the lawsuit was filed, I have stayed silent and worked every channel I had to resolve this without going to court. But in the end, I had two choices. The erasure of my name, my advocacy, my community, and everyone I employ. Or fight for myself and fight for us."

Pattie Gonia says 'drag is built on parody, puns and jokes'. Photograph: The Washington Post/Getty Images

Wiley said that though Patagonia claimed it was only suing them for $1, the legal fees to fight to keep their drag name would cost a lot more.

"This is not a brand conflict," Wiley said. "This is a corporation trying to erase an activist. This is how corporations bully individuals who cannot match their resources."

Wylie acknowledged that their merch had involved "playful parody" of Patagonia, but denied ever using its branding, logo or font, adding: "Drag is built on parody, puns and jokes."

Patagonia's social media has been inundated with thousands of comments from Pattie Gonia fans calling on the company to drop the lawsuit.

In a statement, Patagonia told the Guardian: "Over the past several years, we've tried to find a path forward that would allow Pattie Gonia to continue their work while also protecting the Patagonia trademark. These conversations have included multiple proposals - each intended to support that path - along with ongoing dialogue and genuine efforts to avoid this ending up in court. Unfortunately, we could not reach an agreement."

"This matter is not about seeking financial gain, nor is it about challenging anyone's identity or right to advocacy, protest, or creative expression. The last thing we wanted was a legal fight with someone who shares our values, but we must protect our business and employees," it added.

In 2022, Patagonia's founder Yvon Chouinard gave the entire company away to a uniquely structured trust and non-profit designed to pump all of the company's profits into saving the planet. "As of now, Earth is our only shareholder," the company said at the time.

Patagonia was originally called Chouinard Equipment, but Chouinard changed it after a transformative trip to Patagonia with his best friend, Doug Tompkins, the founder of rival outdoors company the North Face.

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